

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman; Ken Y. Hsu; T. Wade  
Fallin; Henry A. Klyce

Appln. No.: 09/684,017

Confirm. No.: 9622

Filed: January 8, 2001

Title: SPINE DISTRACTION IMPLANT AND METHOD

PATENT APPLICATION

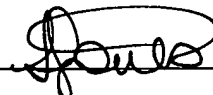
Art Unit: 3731

Examiner: Julian W. Woo

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Art Unit 3731, P.O. Box 1450, Alexandria, VA 22313-1450**, on October 28, 2003.

  
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Lana Jones

Signature Date: October 28, 2003

(Signature)

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Commissioner for Patents  
Art Unit 3731  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Response is in reply to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed October 6, 2003. Please substitute the previously filed "Amendments to the Claims" section for the one that follows. This response is timely filed.